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May 6, 1998

The Honorable Thomas A. Daschle  
The Honorable Edward M. Kennedy  
United States Senate  
Washington, DC 20510

The Honorable Richard A. Gephardt  
The Honorable John D. Dingell  
U.S. House of Representatives  
Washington, DC 20515

Dear Senators Daschle and Kennedy and Representatives Gephardt and Dingell:

On behalf of the American Heart Association (AHA) and its 4.6 million volunteers, I wish to express our support for the patients' rights concepts embodied in H.R. 3605/S. 1890, the *Patients' Bill of Rights*. The AHA has previously communicated its concern regarding certain practices utilized in some managed care settings, and our recommendations for addressing those problems.

We must assure that patients receive care of the quality shown to be effective in clinical trials. To achieve this in a time of expanding emphasis on cost containment, there must be a concurrent commitment to improving the process and outcomes of care and increased participation of patients in decision-making about their care. Excluding childbirth and its complications, heart disease and stroke make up 4 out of the top 5 hospital costs for all payers, at a total cost of \$274 billion annually.

The American Heart Association (AHA) is pleased that the following principles are incorporated into the *Patients' Bill of Rights*:

- providing a point of service option, at time of enrollment, allowing patients to seek care from a non-plan provider at an added cost to the patient
- requiring health plans to disclose information to help consumers make informed decisions about their health care
- providing an independent timely appeals mechanism
- banning financial incentives resulting in the withholding of care or denial of referrals
- prohibiting "gag clauses" preventing providers from informing patients of treatment options
- eliminating preauthorization for emergency care, providing timely authorization for additional care, and payment for emergency care services provided by prudent laypersons seeking emergency care

Significant barriers to patients exercising their rights are becoming more evident in the changing health care environment. Each of these barriers has the potential to adversely affect both patients' and providers' decision-making and therefore adversely affect prevention and treatment of cardiovascular diseases and stroke.

Health care professionals have the ethical, legal and moral responsibility to provide patients with accurate and truthful information about treatment regimens, and to include patients in the decisions about their care. Patients have a right to know if their health care provider restricts their access to some of medicine's most highly trained doctors, most powerful diagnostic technologies, and most sophisticated treatments.

Sincerely,

Martha N. Hill, R.N., Ph.D.  
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